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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/426,063	10/22/1999	GREGORY J. MESAROS	GEDP106US	1360

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TUROCY & WATSON, LLP
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EXAMINER

RUDY, ANDREW J

ART UNIT	PAPER NUMBER
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3687

NOTIFICATION DATE	DELIVERY MODE
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02/23/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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DETAILED ACTION

1. Applicant's December 2, 2009 Amendment and REMARKS have been reviewed. The previous Office Action is withdrawn pursuant thereto. Applicant cancelled claims 9-38. Claims 1-8 and 39-61 are pending.

Claim Rejections - 35 USC § 103

2. Claims 1-8 and 39-61 rejected under 35 U.S.C. 103(a) as being unpatentable over Obrect, US 7,630,919.

Obrect discloses a computer-implemented business transaction over a network, e.g. Figs. 1-16 and related text, where a plurality of deals for at least a product or service includes price and non-price buying criteria by a buyer for at least one product or service, correlating the plurality of deals and ranking the deals and notifying the seller of the at least one product or service. Obrect does not disclose the term at least one distribution criteria. However, Obrect does disclose the concept of inventory. Inventory inherently includes distribution criteria when businesses transact business over a network. To have provided distribution criteria for the business of Obrect would have been obvious to one of ordinary skill in the art. The motivation would have been allowing the inventory to be accessed without disruption.

3. A further pertinent reference of interest is noted on the attached PTO-892.

4. Applicant's Information Disclosure Statement (IDS) submitted February 3, 2010 has been reviewed. Note the attached IDS.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Joseph Rudy whose telephone number is 571-272-6789. The examiner can normally be reached on Monday thru Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew Joseph Rudy/

Primary Examiner, Art Unit 3687